



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE

for Permit Application

Issue Date: March 5, 2004

Expiration Date: April 3, 2004

Corps of Engineers Action ID: 200400065

Oregon Division of State Lands Number: RF-31617

30-Day Notice

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
CENWP-OP-GE (Mr. Dominic Yballe)
1600 Executive Parkway, Suite 210
Eugene, Oregon 97401-2156

Applicant: Edgewood Townhouse Association (ETA)

Location: The site is on Brae Burn Creek between Willamette Street and Brookside Drive. The project is in Section 18, Township 18 South, Range 3 West; and in Eugene, Lane County, Oregon.

Project Description: The applicant proposes to install 15 vortex rock weirs and place rock at 20 sites to stabilize the creek banks. The project involves the discharge of 30 cubic yards of rock in 0.07-acre below the ordinary highwater mark of Brae Burn Creek. Native shrubby vegetation will be planted above the revetments.

Mitigation: No compensatory mitigation has been proposed. The applicant is proposing to avoid and minimize impacts by completing the activities during summer low-flow levels. Vegetation disturbed by construction will be replanted or reseeded with native vegetation.

Purpose: The purpose of the project is to stabilize the streambank to minimize erosion and stream migration.

Drawings: Five (5) drawings are attached.

Additional Information: Additional information may be obtained from Mr. Dominic Yballe, Project Manager, U.S. Army Corps of Engineers at (541) 465-6894 or email at dominic.p.yballe@nwp01.usace.army.mil.

Authority: This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Public Hearing: Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the described activity is not likely to affect endangered species or their critical habitat, as designated under the Endangered Species Act of 1973 (87 Stat. 844).

Cultural Resources: There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development, there is little likelihood the proposed project will affect an undisturbed historic property or other type of cultural resource.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority previously indicated may be accomplished. Other local governmental agencies may also have ordinances or requirements that must be satisfied before the work is accomplished.

PUBLIC NOTICE
Oregon Department of Environmental Quality (DEQ)
Water Quality 401 Certification

Corps of Engineers Action ID Number: 200400065
Oregon Division of State Lands Number: RF-31617

Notice Issued: March 5, 2004
Written Comments Due: April 3, 2004

WHO IS THE APPLICANT: Edgewood Townhouse Association

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

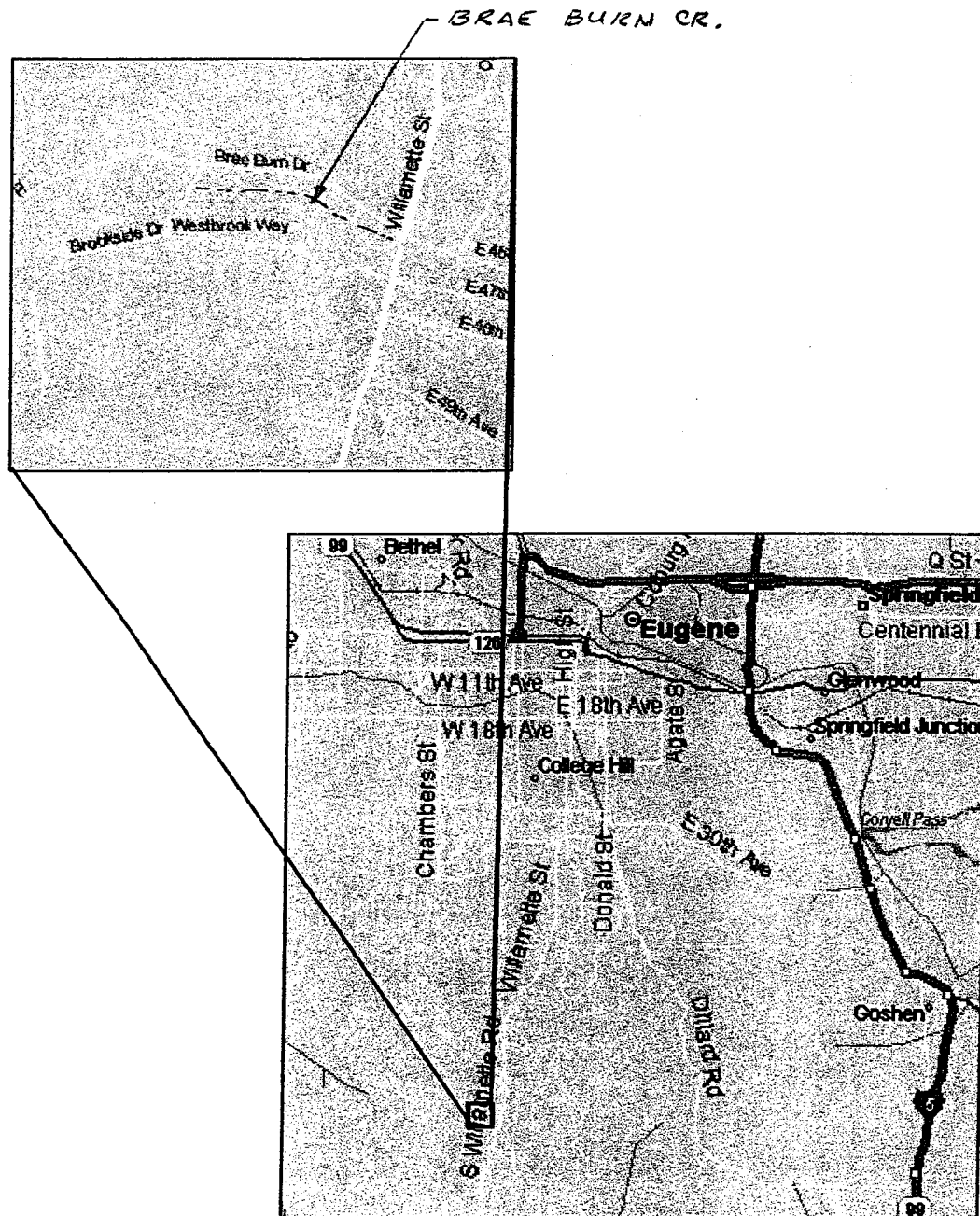
Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on **April 3, 2004**. Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390 or faxed to (503) 229-6124. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format at deq.info@deq.state.or.us. Otherwise due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.

Edgewood Townhouse Association Brae Burn Creek Project Location Map



K & A Engineering, Inc.
P.O. Box 23624
Eugene, OR 97402
(541) 684-9399

18 03 18 | 3

SW 1/4 NE 1/4 Sec. 18 T. 18S. R. 3 W.W.M.

LANE COUNTY

1" = 100'

See Map 18 03 18

TRACT	AREA	OWNER	REMARKS
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2	1.00	EDGEMOND	1.00
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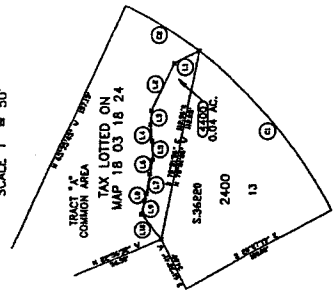
BRAE BUEN CR.

THIRD ADD TO EDGEMOND
TOWNHOUSES A REPLAT
OF A PORTION OF TRACT 'B'
EDGEMOND WEST

E.T.A. BOUNDARY

See Map 18 03 18 1 4

INSET
SCALE 1" = 50'



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SEE MAP 18 03 18 42

004-00

TAX MAP

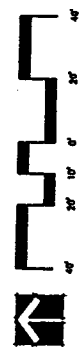
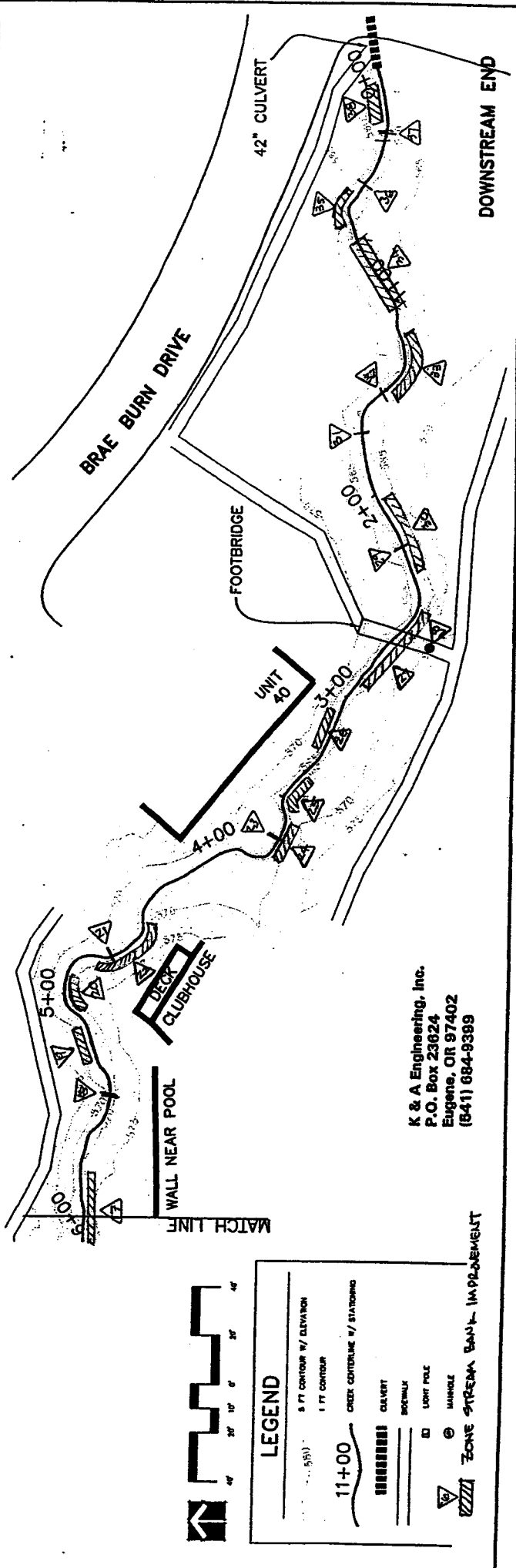
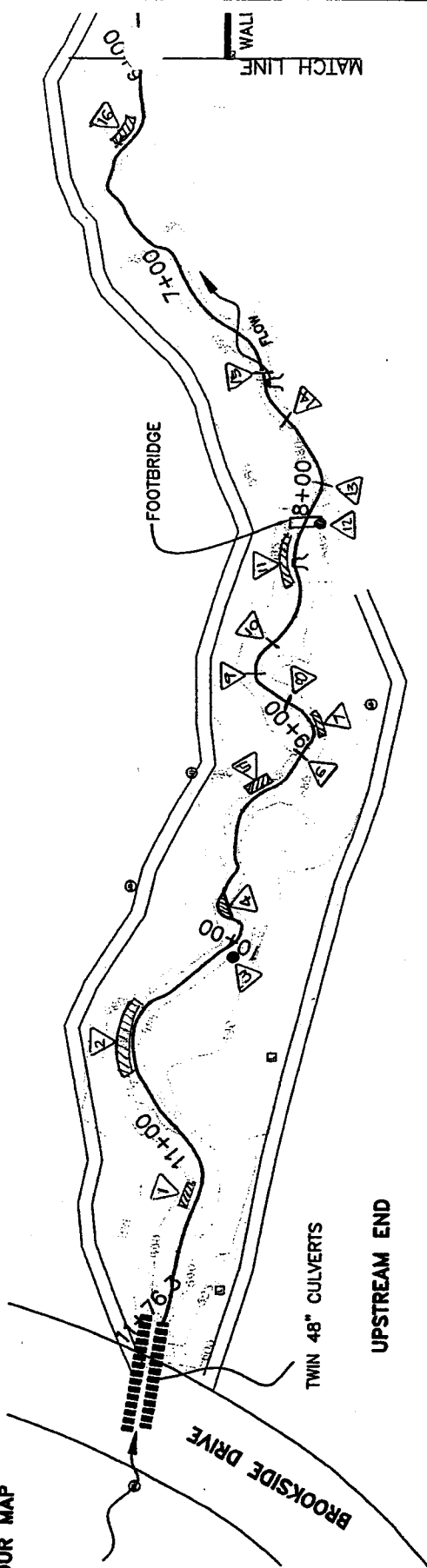
K & A Engineering, Inc.
P.O. Box 23624
Eugene, OR 97402
(541) 684-9399

PROPOSED STREAMBANK MITIGATION EDGEWOOD TOWNHOUSE ASSOC.

DEVELOPED FOR JOINT PERMIT APPLICATION
- U.S. ARMY COE, OREGON DEPT. LANDS 1/26/04

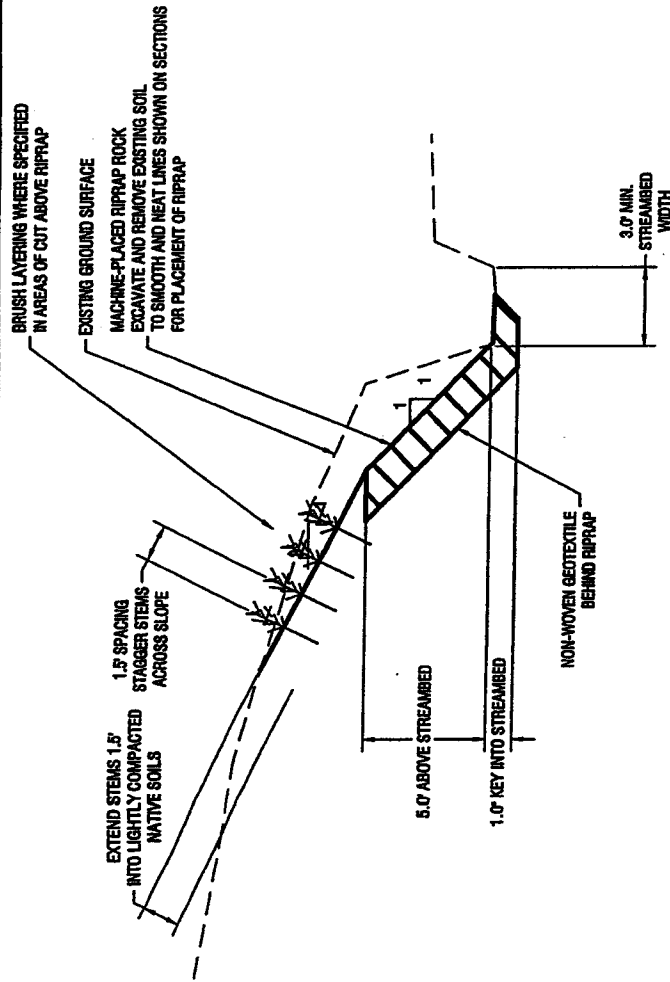
BRAE BURN CREEK AT EDGEWOOD TOWNHOUSE ASSOCIATION CONTOUR MAP

NOTES
(1) SIDEWALK ALIGNMENTS ARE APPROXIMATE
(2) ELEVATIONS ARE RELATIVE TO MALAMETTE STREET CULVERT (I.E. = 558.0), PROVIDED BY
CITY OF EUGENE



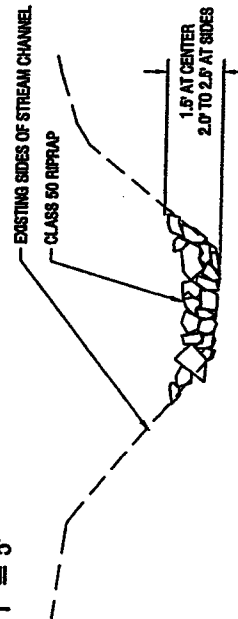
LEGEND	
	5 FT CONTOUR W/ ELEVATION
	1 FT CONTOUR
	CREEK CENTERLINE W/ STATIONING
	CULVERT
	BOX CULVERT
	UNIT POLE
	MANHOLE
	ZONE STREAM BANK IMPROVEMENT

K & A Engineering, Inc.
P.O. Box 23624
Eugene, OR 97402
(841) 684-9389



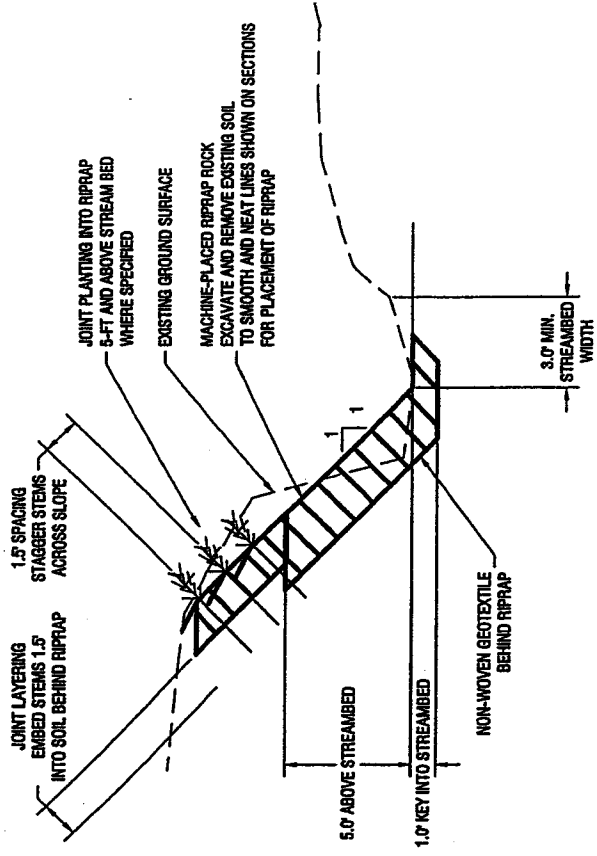
TYP. SECTION - ARMOR WITH BRUSH LAYER

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2
1" = 5'



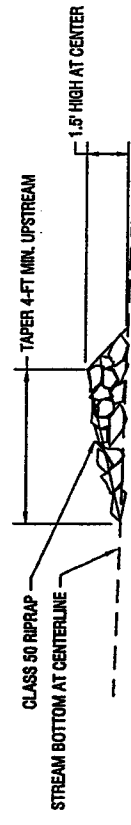
TYP. SECTION - VORTEXT ROCK WIER

2
2
1" = 5'



TYP. SECTION - ARMOR WITH JOINT PLANTING

2
2
1" = 5'



VORTEXT ROCK WIER ALONG STREAMBED

2
2
1" = 5'



TYPICAL STREAMBANK REPAIR
BRAE BURN CR. PHASE I STABILIZATION
171 WESTBROOK WAY, EUGENE, OR

CLIENT: EDGWOOD TOWNHOUSE ASSOC.
PROJECT: 88.03
DATE: 11-11-03
SHEET: 2 OF 4

EXPIRES

Proposed Streambank Mitigation
Brae Burn Creek
Eugene, Oregon

Site	Description
1	Stone armor north streambank
2	Stone armor north streambank
3	Remove hazardous ponderosa pine
4	Remove oversteepened overhang
5	Stone armor north streambank
6	Vortex rock wier
7	Stone armor north streambank
8	Vortex rock wier
9	Vortex rock wier
10	Vortex rock wier
11	Stone armor north streambank Underpin south bridge abutment
12	stone armor south streambank
13	Vortex rock wier
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33	Stone armor north streambank
34	Widen and armor streambed
35	Stone armor north streambank
36	Vortex rock wier
37	Vortex rock wier
38	Stone armor north streambank